UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA)	COLLIER/CARTER
)	
v.)	CASE NO. 1:11-CR-106
)	
ARNULFO RAY CANALES)	

ORDER

On May 14, 2012, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation recommending (a) the Court accept Defendant's plea of guilty to Count Seven of the Indictment in exchange for the undertakings made by the government in the written plea agreement; (b) the Court adjudicate Defendant guilty of the charges set forth in Count Seven of the Indictment; (c) that a decision on whether to accept the plea agreement be deferred until sentencing; and (d) Defendant shall remain in custody pending sentencing in this matter (Court File No. 73). Neither party filed an objection within the given fourteen days. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court ACCEPTS and ADOPTS the magistrate judge's report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and ORDERS as follows:

- (1) Defendant's plea of guilty to Count Seven of the Indictment, in exchange for the undertakings made by the government in the written plea agreement, is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count Seven of the Indictment;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
 - (4) Defendant SHALL REMAIN IN CUSTODY pending sentencing on Thursday,

August	23,	2012	at	2:00	pm.
--------	-----	------	----	------	-----

SO ORDERED.

ENTER:

<u>/s/</u>

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE